

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krepski *et al.*
Serial No.: 10/595,895
Confirmation No.: 8694
Filed: May 18, 2006
For: HYDROXYLAMINE AND OXIME SUBSTITUTED
IMIDAZOQUINOLINES, IMIDAZOPYRIDINES, AND
IMIDAZONAPHTHYRIDINES
Examiner: D. M. M. Seaman
Art Unit: 1625

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: June 15, 2009

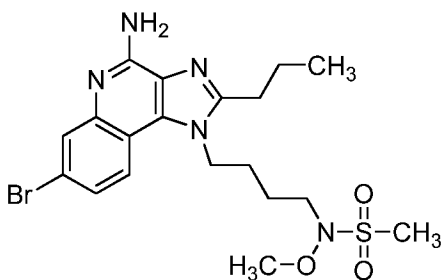
Signature: /Christine M. Colbert/ (Christine M. Colbert)

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the restriction requirement set forth in the Office Action mailed March 24, 2009, Applicant hereby elects Group I (claims 2-5, 12-28, 41-60, and 71-76), drawn to compounds, composition, and methods of treatment wherein compounds of formula (II) have R_A and R_B together being a non-heterocyclic ring, for prosecution in the present application. In the Office Action, the Examiner included claim 9 in Group I; however, Applicant submits that claim 9 should not have been included in Group I because R_A and R_B are both methyl and could not form a non-heterocyclic ring. Furthermore, Applicant elects the compound of Example 88:



as the species for search purposes. The claims encompassing the elected species include claims 2, 3, 4, 12, 13, 14, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 41, 42, 43, 44, 45, 47, 48, 49, 71, 72, 73 and 74.

Having made the election, Applicant expressly reserves the right to pursue the subject matter of the non-elected claims in one or more future applications claiming priority to the present application.

Applicant is filing concurrently a Petition for a two-month extension of time and authorization to pay the required extension fee. If there is a fee occasioned by this response that is not covered, please charge any deficiency to Deposit Account No. 23/2825, under Docket No. C1271.70048US01, from which the undersigned is authorized to draw.

Dated: June 15, 2009

Respectfully submitted,

By /C. Hunter Baker/
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